

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
RICHARD BREUNINGER, et al,

Plaintiffs,

- against -

T. EDWARD WILLIAMS, et al,

Defendants.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 11/9/2023

20-CV-7033 (JPC) (RWL)

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**ORDER****ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves Defendant's two requests to take judicial notice at Dkt. 190 and 192. See also the parties' responses and replies at Dkts. 197, 198, 201, and 203. The applications are granted in part and denied in part. As Defendant correctly notes, "the court may take judicial notice at any stage of the proceeding." Fed. R. Ev. 201(d). Notwithstanding Plaintiffs' objection to the timing being "out of the blue," Defendant has explained that knowing the Court's position on judicial notice now may shape Defendant's deposition questioning. As for the matters for which the Defendant seeks judicial notice:

1. Sale Price of Club West (Dkt. 190): Based on the Deed of Trust filed on June 1, 2020 in Maricopa County, Arizona (Dkt. 190 Ex. A), the Court takes judicial notice that on June 1, 2020, Hiro Investment LLC Nectar Investment LLC and Kwang Co. LLC sold Club West Golf Course to The Edge at Clube West LLC and Keith Schott for \$750,000. The Court's taking judicial notice of such does not in any way address the relevancy or admissibility of the fact of the sale price on June 1, 2020, and is without prejudice to Plaintiffs' right to object to the admissibility into evidence of the Deed of Trust or the fact of the sale price on June 1, 2020.

2. Three Verified Complaints (Dkt. 192): The Court takes judicial notice of the fact that three complaints identified were filed in their respective courts on their respective days of filing and that the Complaints asserted the allegations made therein. The Court does not take judicial notice of the truth of any of the allegations in the Complaints. The Court's taking judicial notice of such does not in any way address the relevancy or admissibility of the Complaints or their allegations, and is without prejudice to Plaintiffs' right to object to relevancy or admissibility into evidence of the facts judicially noticed and the allegations in the Complaints.

The Clerk of Court is respectfully directed to terminate the letter motions at Dkts. 190 and 192.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: November 9, 2023  
New York, New York

Copies transmitted this date to all counsel of record.